

TO MR. CARY

FROM: WPB

DATE 11 July 1975

SUBJECT: SUSPENSE DATE

H.R. 61, S. 1428 (companion bills) Criminal Justice Information

NOTE:

You may recall that H.R. 61/S. 1428 is identical to a Department of Justice draft bill pending before OMB. You approved the attached report for our comments on both the draft bill and the legislation before leaving on your vacation. Lyle recommended sending the report to OMB for our comments on the Justice draft bill but holding back on sending it for our reports on H.R. 61/S.1428. He believed we should wait until it became clear that this legislation was active and ready to be reported. His concern was that the Subcommittee Chairmen, Tunney and Edwards, would use our comments as an excuse to drag the Director up for testimony, to get into other areas, and for general publicity purposes, etc. He suggested keeping these reports in our folder and, if we had to send them, the fact that we already had an identical report being reviewed in OMB, should expedite clearance of these reports on H.R. 61/S. 1428.

I think the situation is now such that we should forward these reports as soon as possible. Hearings are being held on the various criminal justice information control bills by both the House and Senate Subcommittees on July 14 and 16.

(over)

COORDINATED WITH (list names as well as offices):

STATINTL

Name

OGC
Office

Kane
Name

OS/DDA
Office

Name

DDO
Office

STATINTL

ACTION REQUIRED BY GLC: Sign back up

The Subcommittees hope to report some legislation to the full Committees by the end of July. The Department of Justice has gone on record with H.R. 61/S.1428. Tunney and Edwards have introduced a new bill on the matter, H.R. 8227/S. 2009, which now may be the leading contender. We are preparing a report on this latter bill on a priority basis. Justice is strongly opposing the Tunney-Edwards bill and will be pressing for favorable consideration of H.R. 61/S.1428. We may see a compromise between H.R. 61/S. 1428 and the Tunney-Edwards bill. Therefore, H.R. 61/S.1428 will be a real factor in the upcoming Subcommittee deliberations. This is one reason why I think we should get our comments in at this time. Moreover, this report lays out the general framework of Agency interests in this whole area and therefore would be useful to get before the Subcommittee even if H.R. 61/S.1428 turns out not to be the prevailing piece of legislation. Finally, this report will lay the groundwork and the background for our upcoming report on the Tunney-Edwards bill.

If you agree that we should forward these reports, I would like to phone OMB to point out that these reports are identical to the one that we sent a few weeks ago on the Department of Justice draft bill and explain the exigency of the situation and request that they expedite clearance of these reports.